

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DURAVEST, INC. Plaintiff, : No. 07 CIV 10590
VISCARDI AG, WOLLMUTH, MAHER & : Hon. Jed Rakoff, U.S.D.J.
DEUTSCH, LLP; MASON H. DRAKE, ESQ., BRUCE :
O'DONNELL CPA, BRUCE O'DONNELL CPA/PFS :
P.A., BIOMEDICAL CONSULTANT SL, RICHARD :
MARKOLL and ERNESTINE BINDER MARKOLL, :
Defendants. : Rule 7.1 Statement

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Pursuant to Federal Rule of Civil Procedure 7.1 [formerly Local General Rule 1.9] and to enable District Court Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Defendant Viscardi AG (a private, non-governmental party) certifies that Defendant Viscardi AG has no corporate parents, affiliates or subsidiaries which are publicly held.

Dated: New York, New York
April 7, 2008

Respectfully submitted,

KASOWITZ, BENSON, TORRES
& FRIEDMAN LLP

By:/s/ Mark W. Lerner

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